

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Carlos A Madero

Case No.: 23-14849 RG
Judge: Rosemary Gambardella

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☐ Modified/Notice Required
☐ Motions Included ☒ Modified/No Notice Required

Date: September 14, 2023

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/JJM

Initial Debtor: /s/CAM

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 157.00 per month to the Chapter 13 Trustee, starting on October, 2023 for approximately 56 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Discover Bank	mortgage	\$1502.08		\$1502.08	\$736
LoanCare	mortgage	\$6145.10		\$6145.10	\$2688

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
none					

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
none				

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
none							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

none

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
none			

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

none

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan
none		

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
State pf Jersey	non dischargeable income taxes for 2021 and 2022	paid in full	\$725.00

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
none				

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
nonw							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
none						

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
none					

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Joseph J Mania III, Esq.
- 3) Discover Bank and LoanCare
- 4) State of NJ

d. Post-Petition Claims

The Standing Trustee ☐ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: June 5, 2023.

<p>Explain below why the plan is being modified: Correct treatment of unsecured creditor, reflect changes in value of real estate, mortgage balances and changes in post petition expenses</p>	<p>Explain below how the plan is being modified: Reduce adn reallocate plan payments</p>
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Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Schedules A,D, E, F and J are being Amended.

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: September 14, 2023

/s/Carlos A Madero
Debtor

Date: _____

Joint Debtor

Date: September 14, 2023

/s/Joseph J Mania III
Attorney for Debtor(s)

In re:
Carlos A Madero
Debtor

Case No. 23-14849-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Oct 12, 2023

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 41

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2023:

Recip ID	Recipient Name and Address
db	+ Carlos A Madero, 29 Lowe Avenue, Fair Lawn, NJ 07410-2325
519936786	+ CJC Law Office, 201 Solar Street, Syracuse, NY 13204-1425
519936788	Discover Bank/dmi, Discover Home Equity Loans, Lake Zurich, IL 60047
519936796	+ Louis A Greenfield, PO Box 17210, Golden, CO 80402-6020
519936797	+ New Jersey Division of Taxation, 50 Barrack Street, Trenton, NJ 08608-2006
519936798	+ Nicole Olsey, 115 North Bedford Apt. A-1, Chappaqua, NY 10514-2721
519988548	+ Passaic Bergen Water Softening, Fein Such Kahn & Shepard PC, 7 Century Dr., Suite 201, Parsippany, NJ 07054-4673
519936801	Td Retail Card Services, Ms Bt Pob 9475, Minneapolis, MN 55440

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Oct 13 2023 02:16:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreregion03.ne.ecf@usdoj.gov	Oct 13 2023 02:16:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
519936774	+ Email/Text: backoffice@affirm.com	Oct 13 2023 02:16:00	Affirm, Inc., Attn: Bankruptcy, 30 Isabella St, Floor 4, Pittsburgh, PA 15212-5862
519936773	+ Email/Text: backoffice@affirm.com	Oct 13 2023 02:16:00	Affirm, Inc., 650 California St Fl 12, San Francisco, CA 94108-2716
519936775	+ Email/PDF: bncnotices@becket-lee.com	Oct 12 2023 23:02:49	Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
519936776	Email/Text: bankruptcy@bhg-inc.com	Oct 13 2023 02:14:00	Bankers Healthcare Group LLC, 122 E. 42nd Street, Room 700, New York, NY 10168
519936781	Email/PDF: acg.bmw.ebn@aisinfo.com	Oct 13 2023 00:06:55	Bmw Financial Services, Attn: Bankruptcy/Correspondence, Po Box 3608, Dublin, OH 43016
519936777	+ Email/Text: BarclaysBankDelaware@tsico.com	Oct 13 2023 02:15:00	Barclays Bank Delaware, Attn: Bankruptcy, Po Box 8801, Wilmington, DE 19899-8801
519936780	+ Email/PDF: acg.bmw.ebn@aisinfo.com	Oct 12 2023 23:02:35	Bmw Bank Of North Amer, Attn: Bankruptcy, Po Box 3608, Dublin, OH 43016-0306
519936785	Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 13 2023 03:23:08	Citibank North America, Citibank SD MC 425, 5800 South Corp Place, Sioux Falls, SD 57108
519956636	Email/Text: bnc-quantum@quantum3group.com	Oct 13 2023 02:16:00	Citibank, N.A., c/o Quantum3 Group LLC, PO Box 280, Kirkland, WA 98083-0280
519992989	Email/Text: BKCourtNotices@yourmortgageonline.com	Oct 13 2023 02:15:00	Discover Bank, 1 Corporate Drive, Suite 360,

District/off: 0312-2

User: admin

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Date Rcvd: Oct 12, 2023

Form ID: pdf901

Total Noticed: 41

			Lake Zurich, IL 60047
519936789	Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 13 2023 01:36:15	Dsnb Bloomingdales, Attn: Recovery 'Bk', Po Box 9111, Mason, OH 45040
519936790	Email/Text: bankruptcy@bhg-inc.com	Oct 13 2023 02:15:00	Fund-Ex LLC, 201 Solar Street, Syracuse, NY 13204
519990546	+ Email/Text: LC-Bankruptcy-RF@loancare.net	Oct 13 2023 02:15:00	First Federal Bank, c/o LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452-4262
519936791	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 13 2023 02:15:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
519936792	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 13 2023 02:16:00	Jefferson Capital Systems Inc, 16 McLeland Road, Saint Cloud, MN 56303
519994806	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 13 2023 02:16:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud MN 56302-9617
519936793	+ Email/Text: Documentfiling@lciinc.com	Oct 13 2023 02:15:00	LendingClub, Attn: Bankruptcy, 595 Market Street, Suite 200, San Francisco, CA 94105-2802
519936794	+ Email/Text: LC-Bankruptcy-RF@loancare.net	Oct 13 2023 02:15:00	Loancare, Cit Bank., Attn: Consumer Solutions Dept, Po Box 8068, Virginia Beach, VA 23450-8068
519957491	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 13 2023 01:00:55	Portfolio Recovery Associates, LLC, c/o BARCLAYS BANK DELAWARE, POB 41067, Norfolk, VA 23541
519972529	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 12 2023 22:51:30	Portfolio Recovery Associates, LLC, c/o Best Buy, POB 41067, Norfolk VA 23541
519997451	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 12 2023 22:51:29	Portfolio Recovery Associates, LLC, c/o CAPITAL ONE, N.A., POB 41067, Norfolk, VA 23541
519936799	^ MEBN	Oct 12 2023 21:36:23	PSE&G, PO Box 14444, New Brunswick, NJ 08906-4444
519988547	+ Email/Text: ecourts.col_efilings@fskslaw.com	Oct 13 2023 02:15:00	Philip A. Kahn, Esq., c/o Fein Such Kahn & Shepard PC, 7 Century Dr., Suite 201, Parsippany, NJ 07054-4609
519936800	+ Email/PDF: ais.sync.ebn@aisinfo.com	Oct 13 2023 02:23:45	Synchrony/PayPal Credit, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
519947588	+ Email/Text: tdebn@credbankserv.com	Oct 13 2023 02:15:00	TD Retail Card Services, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
519997645	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Oct 13 2023 02:16:00	U.S. Bank NA dba Elan Financial Services, Bankruptcy Department, PO Box 108, Saint Louis, MO 63166-0108
519936802	+ Email/Text: RPSBankruptcyBNCNotification@usbank.com	Oct 13 2023 02:16:00	U.S. Bankcorp, Attn: Bankruptcy, 800 Nicollet Mall, Minneapolis, MN 55402-7000
519936804	Email/Text: vdimambro@uwm.com	Oct 13 2023 02:15:00	United Wholesale Mortgage, Attn: Bankruptcy, 585 South Boulevard East, Pontiac, MI 48341
519983753	+ Email/PDF: ebn_ais@aisinfo.com	Oct 12 2023 23:02:49	Verizon, by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
519965057	Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Oct 13 2023 01:36:46	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
519936805	+ Email/PDF: ais.wellsfargo.ebn@aisinfo.com	Oct 12 2023 23:02:37	Wells Fargo Jewelry Advantage, Attn: Bankruptcy, Po Box 10438, Des Moines, IA 50306-0438

TOTAL: 33

District/off: 0312-2

User: admin

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Date Rcvd: Oct 12, 2023

Form ID: pdf901

Total Noticed: 41

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
519936782	*P++	BMW FINANCIAL SERVICES, CUSTOMER SERVICE CENTER, PO BOX 3608, DUBLIN OH 43016-0306, address filed with court:, Bmw Financial Services, Attn: Bankruptcy/Correspondence, Po Box 3608, Dublin, OH 43016
519936783	*P++	BMW FINANCIAL SERVICES, CUSTOMER SERVICE CENTER, PO BOX 3608, DUBLIN OH 43016-0306, address filed with court:, Bmw Financial Services, Attn: Bankruptcy/Correspondence, Po Box 3608, Dublin, OH 43016
519936784	*P++	BMW FINANCIAL SERVICES, CUSTOMER SERVICE CENTER, PO BOX 3608, DUBLIN OH 43016-0306, address filed with court:, Bmw Financial Services, Attn: Bankruptcy/Correspondence, Po Box 3608, Dublin, OH 43016
519936779	*+	Barclays Bank Delaware, Attn: Bankruptcy, Po Box 8801, Wilmington, DE 19899-8801
519936778	*+	Barclays Bank Delaware, Attn: Bankruptcy, Po Box 8801, Wilmington, DE 19899-8801
519936787	*+	CJC Law Office, 201 Solar Street, Syracuse, NY 13204-1425
519945263	*P++	FUND EX LLC, 201 SOLAR STREET, SYRACUSE NY 13204-1425, address filed with court:, Fund-Ex, LLC, 201 Solar Street, Syracuse, NY 13204-201
519936795	*+	Loancare, Cit Bank., Attn: Consumer Solutions Dept, Po Box 8068, Virginia Beach, VA 23450-8068
519936803	*+	U.S. Bankcorp, Attn: Bankruptcy, 800 Nicollet Mall, Minneapolis, MN 55402-7000

TOTAL: 0 Undeliverable, 9 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2023 at the address(es) listed below:

Name	Email Address
Andrew M. Lubin	on behalf of Creditor LoanCare LLC nj-ecfmail@mwc-law.com, alubin@milsteadlaw.com
Andrew M. Lubin	on behalf of Creditor First Federal Bank nj-ecfmail@mwc-law.com alubin@milsteadlaw.com
Denise E. Carlon	on behalf of Creditor DISCOVER BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Joseph J Mania, III	on behalf of Debtor Carlos A Madero jmbanklaw@gmail.com
Marie-Ann Greenberg	magecf@magtrustee.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6